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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 ANDRE ANTRILL PARK,
15 Defendant.

Case No. 2:19-cr-0002-RFB-EJY

**STIPULATION TO CONTINUE
TRIAL DATES**
(Twelfth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, and Brian Y. Whang, Assistant United States Attorney, counsel
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Paul
19 D. Riddle, Assistant Federal Public Defender, counsel for Andre Antrill Park, that the calendar
20 call currently scheduled for July 20, 2021, and the trial currently scheduled for July 26, 2021,
21 be vacated and continued to a date and time convenient to the Court, but no sooner than thirty
22 (30) days.

23 This Stipulation is entered into for the following reasons:

24 1. Counsel for the defendant needs additional time to conclude his investigation in
25 this case and to complete discussions with the defendant regarding a potential resolution which
26 will obviate the need for trial.

1 2. The defendant is not incarcerated and does not object to the continuance.

2 3. The parties agree to the continuance.

3 4. The additional time requested herein is not sought for purposes of delay, but
4 merely to allow counsel for defendant sufficient time within which to be able to effectively and
5 thoroughly complete investigation of the discovery materials provided.

6 5. Additionally, denial of this request for continuance could result in a miscarriage
7 of justice. The additional time requested by this Stipulation is excludable in computing the time
8 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
9 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
10 Section 3161(h)(7)(B)(i), (iv).

11 This is the twelfth request to continue trial dates filed herein.

12 DATED this 20th day of July, 2021.

13
14 RENE L. VALLADARES
15 Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

16 By /s/ Paul D. Riddle

By /s/ Brian Y. Whang

17 PAUL D. RIDDLE
18 Assistant Federal Public Defender

BRIAN Y. WHANG
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE ANTRILL PARK,

Defendant.

Case No. 2:19-cr-0002-RFB-EJY

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conclude his investigation in this case and to complete discussions with the defendant regarding a potential resolution which will obviate the need for trial.

2. The defendant is not incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and thoroughly complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the 3rd day of September, 2021, by the hour of 4:00 p.m.

IT IS FURTHER ORDERED that the calendar call currently scheduled for July 20, 2021, at 1:30 p.m., be vacated and continued to September 7, 2021 at the hour of 1: 30 p.m.; and the trial currently scheduled for July 26, 2021, at the hour of 9:00 a.m., be vacated and continued to September 13, 2021 at the hour of 9 : 00 a.m.

DATED this 20th day of July, 2021.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE